



General Assembly

January Session, 2001

***Amendment***

LCO No. 8771

Offered by:

REP. HARKINS, 120<sup>th</sup> Dist.

REP. MILLER, 122<sup>nd</sup> Dist.

REP. BACKER, 121<sup>st</sup> Dist.

SEN. GUNTHER, 21<sup>st</sup> Dist.

To: Subst. House Bill No. 6997

File No. 769

Cal. No. 275

***"AN ACT CONCERNING TECHNICAL REVISIONS TO THE  
ENVIRONMENTAL STATUTES."***

1 Strike section 7 and insert the following in lieu thereof:

2 "Sec. 7. Subsection (c) of section 5 of public act 95-127, as amended  
3 by special act 98-1 and section 2 of public act 00-168, is amended to  
4 read as follows:

5 (c) The Stratford Festival Theater, Inc. shall agree to renovate the  
6 current theater located thereon and to operate it as a theater, which  
7 shall be known as the Connecticut-Stratford Shakespeare Festival  
8 Theater, for live, theatrical performances. The Stratford Festival  
9 Theater, Inc. shall further agree that (1) it shall, within four months of  
10 the date of conveyance of said parcels, present to the commissioner a  
11 plan of development for the theater and the parcels for the  
12 commissioner's approval, (2) the commissioner shall have two months

13 to approve or disapprove such plan, provided, if the commissioner  
14 does not act, such plan shall be deemed to be approved, and provided  
15 further, if the commissioner disapproves the plan, it may be  
16 resubmitted, but such disapproval and resubmittal shall not extend the  
17 other time limits set forth in this subsection, (3) the Stratford Festival  
18 Theater, Inc. shall, within [one year] two years of the date of  
19 conveyance of said parcels, present to the commissioner construction  
20 documents consisting of design drawings and specifications for the  
21 development of the theater and the parcels for the commissioner's  
22 approval, provided such drawings and specifications shall also be  
23 under the jurisdiction of the local building official, (4) the  
24 commissioner shall have two months to approve or disapprove such  
25 documents, provided, if the commissioner does not act, such  
26 documents shall be deemed to be approved, and provided further, if  
27 the commissioner disapproves such documents, they may be  
28 resubmitted, but such disapproval and resubmittal shall not extend the  
29 other time limits set forth in this subsection, (5) the Stratford Festival  
30 Theater, Inc. shall reopen the theater, within three years of the date of  
31 conveyance of said parcels or within two years of the conclusion of any  
32 lawsuit relating to said parcels which prohibits or substantially inhibits  
33 development of said parcels, whichever is later. Approval by the  
34 commissioner pursuant to subdivision (2) or (4) of this subsection shall  
35 not be deemed to include any federal, state or local approvals or  
36 permits necessary for the construction or siting of facilities or for other  
37 regulated use of the property. The provisions of this subdivision  
38 relating to reversion of title shall be automatically subordinated to any  
39 bona fide mortgage or other instrument securing financing for said  
40 theater. Such financing shall not exceed fifty per cent of the appraised  
41 value of land and improvements. In the event of a proposed sale of the  
42 property, the state shall have an option, prior in right to such mortgage  
43 or other financing instrument to acquire the property. Should the state  
44 elect not to pursue its rights under this subsection, such rights shall  
45 inure to the town of Stratford. An option agreement containing the  
46 terms set forth in this subsection shall be executed by the owner of the  
47 property, the mortgagor, and the state, and recorded on the land

48 records of the town of Stratford. In order for the subordination of the  
49 reversion of title to be effective, any such mortgage or other financing  
50 agreement shall provide that it is subordinate in right to the interest of  
51 the state under said option agreement. If said parcels are not, at any  
52 time, used for the purposes set forth in this subsection and within the  
53 time periods set forth in this subsection, they shall revert to the state of  
54 Connecticut."